

Man seeking to be his own lawyer in sanity case

FEB 20 1983
By Martin Halstuk
Tribune Staff Writer

It is said that a man who acts as his own lawyer has a fool for a client.

But this admonition has failed to bridle the zeal of a 32-year-old man sentenced to a state mental hospital for a sexual assault in Berkeley in 1975.

Stephen Wolozone insists he is not insane. He is asking an Oakland judge to let him represent himself in court to prove his sanity.

Moreover, Wolozone asserts that he never was insane, but faked mental illness to avoid going to prison.

If Alameda County Superior Court Judge Mark Eaton allows Wolozone to act as his own lawyer, it will be the first time in California that someone previously judged criminally insane has represented himself in a hearing to determine his own sanity. What Eaton must decide is whether Wolozone is mentally capable of waiving his right to legal counsel.

After listening to articulate pleas by Wolozone and strong objections raised by Deputy District Attorney Alex Selvin, Eaton on Tuesday ordered that Wolozone be examined by two psychia-

trists. Eaton will rule on Wolozone's unusual motion after the testing.

Seven years ago, Wolozone pleaded not guilty by reason of insanity to the sex attack and was sentenced to Atascadero State Hospital near San Luis Obispo.

"I felt I could be released quicker from a hospital environment," Wolozone said in an interview Thursday in the sheriff's psychiatric unit at Highland Hospital in Oakland. Wolozone will be held at the hospital until March 8, when Eaton will rule on his motion.

"A hospital environment is also a more comfortable place to do time in," said Wolozone, a slender man with dark hair and intensity blazing in his eyes.

Prosecutor Selvin notes that had Wolozone pleaded guilty to the crime, he would have been released from prison in 1981.

"I didn't realize it would be so difficult to get a release," Wolozone says.

It is easy to fake being crazy, Wolozone claims.

"If you wanted to fake insanity, I'd tell you to wring your hands nervously and look around in furtive glances, and over your

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shoulder. When you walk into an interview (with a psychiatrist) immediately look under the table and say you're looking for listening devices. I'd tell you to tell your doctor that television controls your mind and movements. When normal people laugh, cry; when normal people cry, laugh. Answer questions completely illogically."

Wolozon recalled that in the middle of what was the beginning of a rational answer to a question posed by a psychiatrist, he intentionally blurted out: "They stole all of the K rations, too. They stole every thing."

He also repeatedly insisted he was *not* crazy. "But I said it in a crazy way."

"If a guy is a good enough actor, he can get over. People with less intelligence than I have, have succeeded," Wolozon says.

But Selvin says, "If you look at his history, he's been in and out of mental hospitals since he was 11. The sad thing about it is that he is probably a guy who will be in mental hospitals for the rest of his life."

Selvin added Wolozon has a long history of attacking women. He said, "I am not going to take the posture that he should be out in the community. We don't want to create a situation where someone might get hurt."

According to Deputy District Attorney Rockne Harmon, who prosecuted Wolozon in 1975, Wolozon forced a woman to commit a sex act at a Berkeley party by holding a knife on her and threatening her with it. During a struggle, Wolozon cut the woman on the breast. Besides rape, he was charged with assault with intent to commit murder.

Wolozon admits the crime. "I'm not proud of the crime," he says. "It was heinous. But I've changed my value system. I've done heinous acts in the past. I used to have a criminal orientation, but I've changed."

Wolozon says he has good reasons for defending himself. In his last two bids for release, his lawyers failed to convince the court Wolozon was sane. (A mental hospital inmate can ask for a

sanity hearing every two years.)

"Public defenders are overburdened with their large caseloads," he says. "Their cross-examinations are weak. I could conduct my own defense in a more vigorous, aggressive and constructive manner. This is not something frivolous. I resent the district attorney's condescending attitude that I have some more grandiose purpose."

When Wolozon appeared in court Tuesday, he was casually dressed in a yellow sport shirt, brown slacks and sandals.

He made an impassioned and legal-sounding argument that bewildered court spectators but impressed the judge.

"Before us is obviously a man well versed in the law," Judge Eaton said, "having studied law for seven years, (and) is very erudite."

After Eaton ordered a psychiatric examination of Wolozon before he would rule on the representation issue, Wolozon objected.

"I do not think doctors are capable of making this decision," Wolozon said. "The mere finding of insanity seven years ago would not adversely affect my ability to represent myself."

Selvin argued that if Eaton permits Wolozon to represent himself, it might pave the way later for an appeals court ruling overturning a finding of insanity because Wolozon did not have a lawyer.

In the interview, Wolozon recalled a troubled childhood and told how he was taken from his parents by welfare authorities in Akron, Ohio, at age 3 because of serious neglect.

Wolozon was born in Dachau, Germany, on Oct. 27, 1950, to a German mother and Polish father. He says he has no memories of them but believes his mother had been arrested for prostitution and his father had been involved in some criminal activities.

At age 11, he was sent by his foster parents to a school for incorrigibles because he was a problem at home and at school.

At age 15, he ran away from that school and was apprehended in Tennessee. He was sent to

children's homes in Ohio and Indiana with "severe behavioral problems."

After his release at age 18, he began using and selling drugs. Encounters with the law for drugs and minor crimes later landed him in mental institutions in Pennsylvania and New Mexico.

In New Mexico he was arrested on charges of killing a 77-year-old woman and of perpetrating several sex attacks on women. Of the various crimes he has been charged with, the murder is the one he denies.

Wolozon said he escaped from the New Mexico State Hospital twice. The first time, he fled to Colorado, where he was arrested for pulling a knife on a woman and forcing her into his car.

He was sent back to the New Mexico State Hospital, from which he escaped a second time, by way of an air duct.

His odyssey ended in Berkeley in 1975, when he was arrested for the sex crime that sent him to Atascadero, from which he now hopes to be freed.

At one point in the interview last week, Wolozon was interrupted when another inmate in the psychiatric unit knocked on the door, seeking to be admitted into the conference room.

The other inmate peered through the glass window in the door. "Ignore him," Wolozon said. "He's crazy."

Psychiatrist: Wolozon still a danger

By Del Lane
Tribune Staff Writer

AUG 11 1983

Stephen Wolozon, found not guilty by reason of insanity in a 1975 Berkeley rape, was described Wednesday by a court-appointed psychiatrist as a paranoid schizophrenic with an antisocial personality disorder.

Dr. George Ponomareff of Hayward, who has examined Wolozon four times since that rape, said that although Wolozon has shown significant improvement in his apparent mental state — to the point that Ponomareff was once prepared to declare him no longer criminally insane — he still is a potential danger to the safety of others.

In his last interview with Wolozon in 1981, Ponomareff said,

the patient described himself as a member of an elite class, similar to the rulers of ancient Greece and justified in having others serve him as slaves.

"He said attacks on society are justified because of the materialism of society," Ponomareff testified in Wolozon's Alameda County Superior Court sanity hearing.

"He sees himself as a warrior who lives in the woods and goes into the cities for goods and women."

Ponomareff said Wolozon, 32, told him he needs to sexually dominate unwilling women and that willing sexual partners are unexciting, saying he has a "need for rape."

"At Atascadero (State Hospital, where he has been committed since 1975), he said, he prefers the company of rapists," Ponomareff said. "He sees rapists as real people and non-rapists as not real."

Wolozon, who is serving as his own attorney in the hearing before a jury and Superior Court Judge Stanley P. Golde, cross-examined Ponomareff, attempting in part to win an admission that he told the doctor those views to describe former ideas that he no longer held.

"No," Ponomareff said. "It was a very current thing. ... It was clearly in the present tense, not the past."

Throughout the lengthy cross-examination, which resumes to-

day, both men referred to Wolozon in the third person, as "he" or "Mr. Wolozon."

At the time of the first interview after the rape, Ponomareff said, Wolozon said he felt the victim, whom he knew slightly, had "organized some conspiracy against him" and that "he needed to do something to make them fear him," which he attempted to do through the sexual assault and knife attack on the woman, then 22.

Ponomareff said he found Wolozon no longer criminally insane in a 1977 interview, but changed his mind before a sanity hearing the next year when Deputy District Attorney Alexander Selvin supplied him with information about a New Mexico rape-murder after which Wolozon was committed to a state mental hospital, from which he subsequently escaped.

Wolozon, who contends he initially feigned insanity to escape a prison sentence for the Berkeley rape, asked Ponomareff if he believed that when Wolozon told him in 1981.

"I felt there was a substantial exaggerate of the original symptoms," Ponomareff said. "I couldn't decide whether the insanity was feigned or the recovery was feigned. I still can't, I'm sorry to say."

Ex-psychiatric worker testifies in sanity trial

By Del Lane
Tribune Staff Writer

AUG 19 1983

She met him a year ago, when she became a psychiatric technician at Atascadero State Hospital and he was incarcerated there after being judged not guilty by reason of insanity in a 1975 sexual assault in Berkeley.

"I began talking to him and we understood each other right away," said Michelle Stacy. "It began growing on and on from there to where it is today."

"And where is that?" asked Stephen Wolozon, serving as his own defense attorney Thursday in his Alameda County Superior Court sanity trial.

"Well, we plan to be married when he is finally released."

Stacy, the final witness called by Wolozon, smiled fondly at him as she testified that his "behavior was exemplary" during the six months she was employed at Atascadero.

"He was very kind to patients who were sicker. He was a leader. He organized fun activities for the patients and everyone in the day-room."

"He was very helpful, like one of us — one of the staff."

On the occasions when she and Wolozon were alone together — including one night during a power blackout — he did not behave improperly, Stacy said.

She said that, upon his release, she intends to help him make the adjustment to a life of freedom, housing him, helping him find a job, even teaching him to drive a car.

And what would she do, Wolozon asked, if he began "acting weird?"

"I guess I would cry," she said. Deputy District Attorney Alex Selvin did not cross-examine Stacy.

Earlier, Wolozon brought in other psychiatric technicians from the hospital, who also testified about the leadership and assistance roles he played among other patients there.

Wolozon, 32, was never prosecuted for the 1972 rape and beating death of 77-year-old Santa Fe, N.M., woman. Escaping from a mental hospital later, he moved to Berkeley where charges of oral copulation and slashing a 22-year-old woman were dismissed when he was found insane. He is trying to win his release from Atascadero.

Final arguments and Judge Stanley P. Golde's instructions to the jury of eight men and four women are expected to begin Monday.

Insanity cured, Wolozon declares

By Del Lane
Tribune Staff Writer

AUG 23 1983

Likening the practice of psychotherapy to "the thought control practiced in Communist China," Stephen Wolozon said Monday he was cured of insanity by people who showed him "caring, consideration and love."

Wolozon, who is acting as his own attorney in his Alameda County Superior Court sanity hearing, and Deputy District Attorney Alex Selvin completed their closing arguments. The case was then submitted to the jury of eight men and four women.

Speaking eloquently and at times with vehemence and derision, Wolozon condemned much of the psychiatric testimony presented in the two-week trial, comparing it to locking a man in a cage and telling him "you won't let him out until he accepts your philosophical position."

He told the jury it was true that he had committed acts of violence in the past — he was found not guilty by reason of insanity of the 1975 sexual assault and stabbing of a young Berkeley woman and he escaped from a New Mexico mental hospital after the rape and murder of a 77-year-old Santa Fe woman.

"I'm (still) not totally together," he said. "You can't expect perfection from a man with my history who is in that environment." Wolozon has been confined at Atascadero State Hospital since 1975.

But, he said, his behavioral history in recent years shows he is no longer dangerous.

Earlier this year, Wolozon said, he was physically attacked in a hospital television room and struck in the eye, "but I didn't fight back and assumed a defensive posture."

Judge Stanley Golde occasionally interrupted Wolozon's summation at a number of points, first when Wolozon attempted to describe Atascadero as "a sanitary dungeon."

The judge interrupted again when Wolozon said the subject of his release was not the issue and that the state has other means of confining him.

"Release is the issue, and the state does not have other means," Golde said. "That's why we are here."

Psychiatric evaluations that contended Wolozon lacks the social skills to form relationships with women were disproven, Wolozon said, by the testimony of his fiancée and female psychiatric workers.

Selvin cited expert testimony that, although Wolozon had begun to show improvement in his psychiatric problems, he still belongs in the hospital.

Wolozon's perception of his trial — and of the world — "is not necessarily that of reality," Selvin said.

"He perceives himself as a champion of the rights of individuals, as one who has been targeted by the system. That's his perception — no one else's."

Insane offender to defend himself

By Martin Halstuk
Tribune Staff Writer

MAR 9 1983

A 32-year-old man sentenced to a state mental hospital for a 1975 Berkeley sexual assault won the right Tuesday to represent himself in a jury trial to determine his sanity.

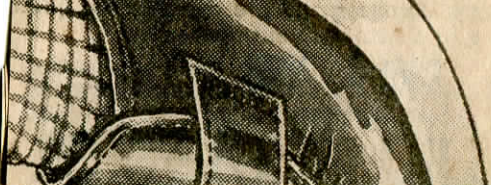
In a landmark ruling, Alameda County Judge Mark Eaton granted a motion by Stephen Wolozone, making Wolozone the first person in California previously judged criminally insane to represent himself in a sanity trial.

Eaton ruled Wolozone is mentally capable of waiving his right to counsel.

Wolozone pleaded not guilty by reason of insanity seven years ago to the sexual assault and was sentenced to Atascadero State Hospital near

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... "Before us is obviously a man well versed in



San Luis Obispo. He forced a woman to perform oral copulation on him at a Berkeley party by threatening her with a knife.

Wolozon now insists not only that he is sane, but also that he had faked mental illness to avoid going to state prison.

When Wolozon appeared in court Tuesday, he was casually dressed in a blue windbreaker, yellow sport shirt, brown slacks and sandals.

He objected when Eaton granted a motion by Deputy District Attorney Alex Selvin to have a prosecution-appointed psychiatrist interview him before the trial.

Wolozon said he would refuse to talk to the psychiatrist.

Eaton said he made his decision on Wolozon's request after he "reviewed very carefully" reports on Wolozon by two psychiatrists and "my own observations in court."

Last month, Wolozon appeared before Eaton to make his self-representation motion.

Wolozon's presentation prompted Eaton to say, "Before us is obviously a man well versed in the law, having studied law for seven years."

Eaton said Tuesday that Wolozon "does have the capacity to voluntarily and willingly waive his right to counsel."

The judge added that Wolozon is aware of "the problems he will face" including "facing an experienced district attorney."

Eaton ordered sheriff's deputies to transport Wolozon from the sheriff's psychiatric unit in Highland Hospital, where he is being held until the trial, to the county law library two days a week.

Wolozon also asked to be assigned a legal investigator from the public defender's office to help him prepare for trial. Eaton said he will discuss the request with the public defender.

A pretrial hearing was scheduled for April 5.

After the judge ruled, Selvin said Wolozon won his self-representation motion "through legal gymnastics."

In a recent interview with a reporter in Highland Hospital, Wolozon said he wants to defend himself because in his last two bids for release, his lawyers failed to convince the court he was sane. (In the case of a committed inmate, the prosecution files a petition to extend the sentence every two years, at which time the inmate can ask for a jury trial to determine his sanity.)

Wolozon said he faked mental illness because "I felt I could be released quicker from a hospital environment. A hospital environment is also a more comfortable place to do time in."

Selvin notes that had Wolozon pleaded guilty to the crime, he would have been released from prison in 1981.

Selvin said Wolozon has a history of sexual attacks on women in Colorado and New Mexico and has been in and out of mental hospitals since the age of 11.



Stephen Wolozon

Victim of sex, knife assault testifies

By Del Lane
Tribune Staff Writer

AUG 10 1983

The victim of a 1975 sexual assault and knife attack testified about her experience Tuesday, then underwent cross-examination by the accused assailant himself.

Stephen Wolozon is serving as his own attorney in an Alameda County Superior Court jury trial to determine his sanity.

He had been found innocent by reason of insanity in the 1975 Berkeley attack and has been committed to Atascadero State Hospital ever since. His commitment will be extended if the jury finds him still legally insane.

The Berkeley victim said she was 22 years old at the time of the attack and slightly acquainted with Wolozon, whom she knew as "Stefan."

She said she went to the building where Wolozon lived to arrange overnight accommodations in another apartment for an out-of-town friend.

Wolozon, she said, summoned her to his room to show her something and immediately began attacking her.

She said he grabbed her by the hair, threw her down and produced a knife with a 10-inch blade.

"He told me not to move a muscle," she said, "but I must have moved because he cut me on the left hand and forearm."

The cut on her hand, she said, nearly severed her thumb.

He then struck her beside the left eye with the butt of the knife handle, she said, causing a separated cornea.

She said he sexually abused her, at one point

cutting the base of her tongue, after telling her "I was probably not going to live through the night."

Hearing voices downstairs, she said, she called for help. When her friends responded, she said, there was a scuffle at the door and Wolozon escaped with her purse.

Under cross-examination by Wolozon, the victim said she did not initially recall a previous visit to his room, nor did she recall a "verbal altercation" with him the night of the attack, centered on what he called "criticisms of my speech patterns."

She agreed that she had written him a letter about three years after his commitment to Atascadero.

When Wolozon attempted to question her on the contents of the letter, Deputy District Attorney Alexander Selvin objected that it was hearsay evidence.

Judge Stanley P. Golde ruled that the question was admissible, but Wolozon withdrew it and ended his questioning.

In earlier opening statements, Selvin recounted for the jury of eight men and four women Wolozon's lifelong history of truancy and mental commitments beginning at the age of 4, three years after his Polish and German parents immigrated to the U.S. from Germany in 1951.

By the age of 11, Selvin said, Wolozon was in a psychiatric hospital and diagnosed as having "serious, probably irreversible, character defects." At 17, he was described as having a "sociopathic personality disorder."

After spending the next 14 years in various institutions in various states, Selvin said, Wolozon was released and, for four years, drifted through

out New Mexico.

He began experimenting with an assortment of illicit drugs, Selvin said, and began having hallucinations and "paranoid thoughts."

In 1972, Selvin said, Wolozon broke into the Santa Fe home of two women and attempted to sexually assault them. They resisted him and, in his escape, he slashed his arm on a broken window.

Police followed his bloody trail to the nearby home of an elderly retired schoolteacher, whom they found "beaten to death in a brutal and vicious sexual attack."

He was later arrested in Albuquerque and objects stolen from the Santa Fe homes were found in his apartment.

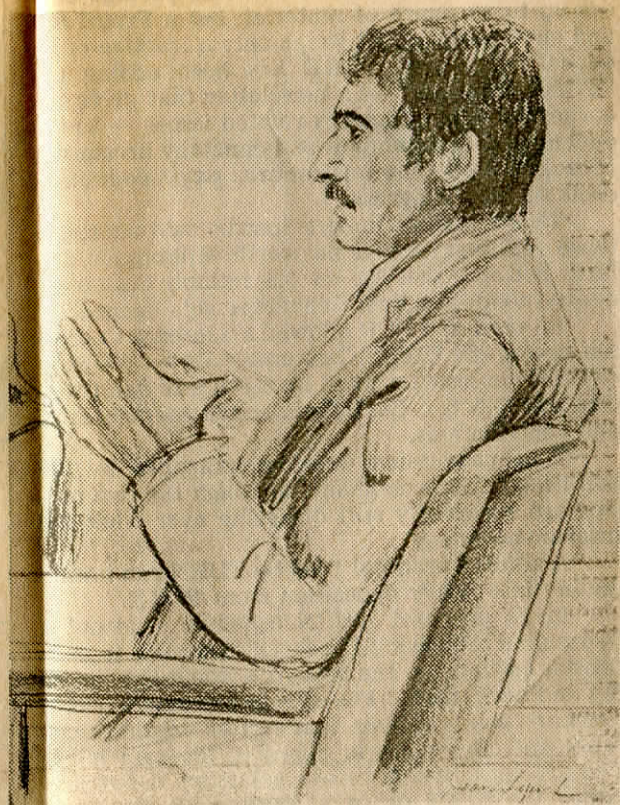
At that point, Selvin said, Wolozon was admitted for psychiatric observation and the local prosecutor there failed to bring him to trial within the statutory six months. Murder and rape charges against him were dropped.

By 1975, Selvin said, Wolozon had walked away from the mental hospital and come to Berkeley some time before the young woman there was assaulted.

In his own opening statement, Wolozon said he would not deal with the past criminal charges against him.

Instead, he said, "I will focus on my behavior during the past two years" and will introduce a young woman with whom he has had an "ongoing relationship for the past year" and who is waiting to marry him.

Conceding his "transgressions" and violent behavior in the past, he said, he would attempt to show himself as "a man who has undergone a



Drawing depicts Stephan Wolozon on the stand

moral transformation," who has "conquered his negative past" and has "turned into a man who cares about others."

If the jury finds him still legally insane, his commitment to Atascadero will be extended another two years, when he will again be eligible for a similar sanity hearing.

Jury finds Wolozon insane, orders return to Atascadero

By Del Lane
Tribune Staff Writer

AUG 24 1983

After deliberating less than a full day, an Alameda County Superior Court jury of eight men and four women Tuesday found Stephen Wolozon insane and a danger to the community.

The verdict means Wolozon will be returned to Atascadero State Hospital, where he has been confined for the last eight years. He will be eligible for another sanity hearing in 1985.

Judge Stanley P. Golde said he would issue formal sentencing today.

Wolozon, who served as his own attorney in the two-week trial, cast his eyes down briefly as the verdict was read, but quickly resumed a calm smile.

After the jury was discharged, Wolozon told reporters he was disappointed in the verdict, "but, given the nature of the material presented during this trial, I'm not surprised."

During the preliminary stages of the case, Wolozon unsuccessfully sought to prevent Deputy District Attorney Alex Selvin from presenting details of two crimes with which he had been charged.

Wolozon was found not guilty by reason of insanity in the 1975 sexual assault and stabbing of a 22-year-old woman in Berkeley, and sent to Atascadero. Wolozon was never prosecuted for the second crime, the rape and murder of a 77-year-old woman in Santa Fe, N.M., because the statute of limitations expired. He later walked away from a mental institution there.

Asked if he would continue to represent himself in attempting to gain his freedom, Wolozon

said "This is just one stage in an extremely long process."

He said his next step would probably be to challenge his original commitment to Atascadero.

He also said he felt he had at times been treated in a "fairly shoddy" manner by Judge Golde, "compared to the way a regular attorney would be treated," but in general was "pleased at the opportunity for personal growth" afforded him by handling his own defense.

Trial attorneys who observed the case have characterized Wolozon's legal work as brilliant, and Selvin congratulated him for his handling of the case.

Wolozon returned the compliment as the two shook hands.

Jury refuses to let rapist quit hospital

SUN JAN 26 1986
The Tribune

An Alameda County Superior Court jury decided Friday that admitted rapist Stephen Wolo-zon of Berkeley should not be released from Atascadero State Hospital.

Wolozon, 36, has spent more than a decade at Atascadero. He was found not guilty by reason of insanity in the torture and rape of a Berkeley woman in 1975. Wolozon has come to court every two years for sanity hearings. His next will be in June 1987.

According to prosecutor Ken Burr, Wolozon taunted his 22-year-old victim with a butcher knife in an attack which occurred shortly after Wolozon escaped from a mental institution in New Mexico.

Wolozon admitted the rape in a 1983 sanity hearing and said he regretted it.

Wolozon returns to Atascadero

AUG 25 1983

One day after an Alameda County Superior Court jury found him criminally insane and a danger to the community, Stephen Wolozon Wednesday was ordered recommitted to Atascadero State Hospital for an additional two years.

Wolozon, confined to Atascadero since he was found not guilty by reason of insanity in the 1975 sexual assault and knife attack on a 22-year-old woman in Berkeley, will be eligible for another sanity hearing on June 15, 1985.

Wolozon, who served as his own attorney during the two-week jury hearing, sat somberly as Judge Stanley P. Golde read the order.

SUN NOV 5 1995

Trial set for rapist faking insanity

By Yasmin Anwar
STAFF WRITER

When Stefan Wolozon faked insanity after raping a Berkeley woman in 1975, he figured he'd do a short stint in a state mental hospital and be freed.

Little did he know he was taking a gamble that could institutionalize him for the rest of his life.

Now, after 20 years in state mental institutions — and arguably more therapy than Woody Allen has joked about — the gaunt, gray-haired 45-year-old man is preparing for another sanity hearing to determine whether he can be set free.

His fate, which lies in the hands of an Alameda County jury, will be decided at a trial that begins this month.

Wolozon's lawyer, Assistant Public Defender Paul Trudell, says his client has changed dramatically since being sentenced to a mental institution two decades ago. Wolozon was sent to Atascadero State Hospital after pleading not guilty of rape by reason of insanity.

Had he pleaded guilty, Wolozon would have been a free man in 1979, Trudell said, adding that his client has more than paid his debt to society.

But the Alameda County district attorney's office views Wolozon as a psychopath more along the lines of Dr. Hannibal Lecter, the cannibalistic serial killer in "Silence of the Lambs." They're not ready to take a gamble on Wolozon, they say.

"He's a sexual sadist," said Deputy District Attorney Bill Denny, who is prosecuting the case. "He's

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too dangerous to release into the community."

Both sides agree that Wolozon, who was born in a camp for displaced people in Dachau, Germany, in 1950, is of above-average intelligence. What they don't agree on is how he uses that intelligence.

"For Wolozon, it's all a game. He thinks he can outsmart everybody," said Deputy District Attorney Gary Cummings.

"He's too much of an independent thinker for the psychiatrists," said Trudell.

Wolozon has consistently maintained that he faked mental illness back in the '70s to avoid going to prison. He said he convinced psychiatrists of his condition by wringing his hands, pretending to be looking for listening devices, and learning to "cry when normal people laugh, and laugh when normal people cry."

But court-appointed psychiatrists deemed him a paranoid schizophrenic with an anti-social personality disorder.

Deadly crime spree

Prosecutors cite a deadly crime spree Wolozon took in the early 1970s. He was arrested on charges of raping and killing a 77-year-old Santa Fe woman in 1972. But he was never prosecuted because the statute of limitations expired, according to court documents.

After escaping from a New Mexico mental hospital, he moved to Berkeley. There, charges of oral copulation and slashing a 22-year-old woman were dismissed after he pleaded not guilty by reason of insanity.

Trudell argues that Wolozon's current mental state is at issue in this sanity hearing, not his past.

He describes his client as an independent philosopher, someone like Jack Nicholson in "One Flew Over the Cuckoo's Nest."

"You've got a sane man in an insane world," Trudell said. "That's what makes this case so interesting."

He says Wolozon has taken leadership roles while institutionalized, and adhered to a peaceful eastern philosophy, teaching inmates the Japanese paper folding art of Origami.

His progress with women is exemplified in his marriage to Michelle Stacy, a psychology technician who befriended Wolozon in 1982 when she started working at Atascadero.

Transfer to coed ward

His transference from high-security Atascadero State Hospital to a coed ward at Patten State Hospital speaks volumes about his reform, Trudell said.

Since age 11, Wolozon has been in and out of institutions. His Polish and German immigrant parents brought him to the United States when he was a baby. But he was placed in foster care at age 3 after the welfare system found his parents could not care for him properly.

He spent his teens in juvenile and psychiatric institutions, and became a drifter with an eighth-grade education. Meandering to New

nuch of an independent thinker'

Mexico, he lived a "hippy-agricultural life and used hallucinogenic drugs" according to court documents.

In New Mexico, he was arrested and indicted on charges of raping and killing an elderly retired school teacher in her home. However, the charges were dropped because he was not brought to trial in the six months after indictment, as New Mexico law requires. But he was sent to a psychiatric institution.

After fleeing to Berkeley in 1975, he viciously attacked a woman who lived in his commune. After sum-

moning the woman to his room, Wolozon blindfolded her, cut her with a butcher knife on her arms, legs, throat and face. He then ordered her to give him "a professional blow job," according to police reports.

After pleading not guilty by reason of insanity, he was confined to Atascadero State Hospital. He was entitled to one sanity hearing every two years. If a jury found him sane, he could be freed.

But the jury was hard to convince, especially with testimony from his Berkeley rape victim and

court-appointed psychiatrists.

In 1983, Wolozon won the right to represent himself in a jury trial to determine his sanity. Yet despite his argument that he had been cured by people who showed him love, consideration and caring, a jury still found him a danger to the community.

This week, Trudell is carefully preparing Wolozon's defense. He plans to show the jury that Wolozon has had no violent incidences in the last 12 years, and that he has behaved appropriately around women in his coed ward.

Jury still finds mental patient insane

MAR 21 1996
FROM STAFF REPORTS

OAKLAND — A man who has been confined to state mental hospitals for 20 years after raping a Berkeley woman has lost another attempt to persuade a jury to set him free.

After less than a day of deliberation, an Alameda County Superior Court jury Wednesday determined that Stephen Wolozon suffers from a mental disease and continues to pose a danger to the community.

This was the second sanity hearing in recent months for Wolozon. A jury in the last hearing hung 11-1 in favor of keeping him at Patten State Hospital in San Bernardino County.

"A lot of people will sleep deeper tonight," said Deputy District Attorney William Denny, who prosecuted the case. He characterizes Wolozon as a sexual sadist.

Wolozon, 45, was found not guilty by reason of insanity to a 1975 torture and rape. Wolozon later said he had faked his insanity in pretrial medical evaluations, but state psychiatrists said Wolozon suffered from paranoid schizophrenia.

At the hearing this month, doctors testifying for Wolozon said he is now healthy, but court-appointed psychiatrists said he continues to exhibit anti-social behavior.

While the prosecutor let out a sigh of relief at the verdict Wednesday, Wolozon buried his face in his hands.

His wife, Michelle Stacy, who met him when he was confined at Atascadero State Hospital, where she was a psychiatric technician, said after the hearing: "Someone needs to tell us if this is going to go on forever and stop this torture. There has got to be a way out."

Wolozon was born in Germany and came to the United States with his parents when he was a baby.

In 1972 he was a suspect in a New Mexico rape and murder, but he was never prosecuted in that case.

Three years later, he came to Berkeley, where he raped and tortured a woman at a commune where he was staying.

He is entitled to a sanity hearing every two years. At each sanity hearing, the jury has found him a continued threat to the community.